

REMARKS

Claims 18 and 24-29 were previously pending in the application. Claims, 1-17 have been canceled and claims 19-23 and 30-35 have been withdrawn without prejudice or disclaimer.

Claim Rejections - 35 USC § 112

Claims 1-35 are rejected under 35 U.S.C. §112 second paragraph as allegedly being indefinite and failing to specifically point out and distinctly claim the invention. Specifically, the Examiner stated that the claims were being rejected on grounds that they lack support in the specification. Applicant respectfully traverses this rejection. The following sections of the specification, described below, provide examples of support for the features recited in the claims. Further support for these features can be found throughout the specification and the original claims as filed. Therefore, citations to specific portions of the specification are not intended to limit the claims and should not be interpreted as limiting the claims.

With respect to claim 18, which claims "a transparent sun screen mounted to the machine such that it can be positioned between the operator and a light source" Figure 6 and its description in the specification, including at least paragraph 50, describe the device being attached to the vehicle and adjustably positioned.

Additionally, claim 18 further claims that "the transparent sun screen comprises an electro-metallic layer that can be optionally transitioned between transparent and translucent states." At least paragraphs 23 - 25 of the application disclose an electro-metallic layer of the transparent sun screen that can be optionally transitioned between transparent and translucent states. Further, the description at paragraphs 44 and 45 and accompanying Figures 2 and 3 further describe the transparent and translucent transition feature of the invention. The description of Figure 4 at paragraph 46, as well as the Figure itself (i.e. reference numeral 11 describe the electro-metallic layer as well.

With respect to claim 24 which states that the "sun screen displays pictorial information," paragraph 43 describing Figure 2 describes the display of pictorial information. This disclosure also describes the "integrated information system" of claim 25, the "visual information display" of claim 26, and the "medium for displaying varying visual information" as claimed in claim 28.

With respect to claim 25, an "integrated information system" is further disclosed in paragraphs 9 and 10.

With respect to claim 26, a "visual information display" is further disclosed for example in paragraph 17.

With respect to claim 28, paragraph 28 discloses the sun screen's use as a "medium for displaying varying visual information."

With respect to claim 29, at least paragraph 19 and Figure 7 disclose "light filtering materials."

Based on the foregoing, Applicant respectfully requests withdrawal of these grounds of rejection. Since Applicant's current remarks overcome the pending rejections, Applicant reserves the right to provide additional bases for overcoming the Examiner's rejections.

Claim Rejections - 35 USC § 102

Claims 18 and 27 have been rejected under 35 U.S.C. §102 for allegedly being anticipated by U.S. Patent No. 6,402,221 to Ogunjobi. Applicant respectfully traverses the rejections based on Ogunjobi and submits that the pending claims are patentably distinct from the cited reference for at least the following reasons.

Independent claim 18 requires:

A light visor for use by an occupant of a machine comprising: a transparent sun screen mounted to the machine such that it can be

positioned between the operator and a light source; and wherein the transparent sun screen comprises an electro-metallic layer that can be optionally transitioned between transparent and translucent states.

Applicant respectfully submits that the cited reference does not disclose, teach, or suggest the elements recited in independent claim 18. More specifically, Applicant submits that Ogunjobi does not disclose at least "an electro-metallic layer that can be optionally transitioned between transparent and translucent states." Indeed, the Examiner does not even suggest that Ogunjobi contains this feature. Instead, the Examiner's rejections only state that Ogunjobi discloses a "transparent sun screen." Since Ogunjobi does not disclose "an electro-metallic layer that can be optionally transitioned between transparent and translucent states," Applicant respectfully submits that this rejection is improper and should be withdrawn.

In addition, claim 27 depends directly from claim 18. It is therefore patentably distinct from the cited reference for at least the same reasons as presented with respect to claim 18. Accordingly, Applicant respectfully requests withdrawal of these grounds of rejection.

Claim Rejections - 35 USC § 103

Claims 24-26 and 28-29 have been rejected under 35 U.S.C. §103 as allegedly being obvious over Ogunjobi in view of DE 198 52 535 A1. Each of these claims depend directly or indirectly from claim 18 and, therefore, require "an electro-metallic layer that can be optionally transitioned between transparent and translucent states." Like Ogunjobi, DE 198 52 535 A1 also does not teach or suggest "an electro-metallic layer that can be optionally transitioned between transparent and translucent states." Accordingly, Applicant respectfully submits that these cited references fail to teach, disclose, or suggest each of the limitations of the pending claims for at least the reasons stated above regarding claim 18.

Based on the foregoing, Applicant respectfully requests withdrawal of these grounds of rejection. Since Applicant's current remarks overcome the pending rejections, Applicant reserves the right to provide additional bases for overcoming the Examiner's rejections based on the cited prior art.

Conclusion

For at least these reasons, Applicant submits that independent claim 18 is patentably distinct from the cited references. Furthermore, Applicant submits that claims 24-29, which depend from independent claim 18, are also patentably distinct from the cited references for at least similar reasons. Accordingly, Applicant requests withdrawal of these grounds of rejection.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Response to Deposit Account No. 03-1240, Order No. 17233-012. Although no petition for time is believed to be necessary, in event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 03-1240, Order No. 17223-012.

Respectfully submitted,
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